

# EXHIBIT D

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO

Public Notice of Appointment  
of a United States Magistrate Judge at Cincinnati

The Judicial Conference of the United States has authorized the appointment of a full time United States Magistrate Judge for the Southern District of Ohio at Cincinnati to replace Magistrate Judge Jack Sherman, Jr. The position is presently available.

The duties of the position are demanding and wide-ranging: (1) conduct of most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters and evidentiary proceedings on delegation from the judges of the district court; and (4) trial and disposition of civil cases upon consent of the litigants. The basic jurisdiction of the United States Magistrate Judge is specified in 28 U.S.C. §636. While residence in the area served by the Cincinnati seat of court is not a requirement for service as a Magistrate Judge, the duties of the position may require a residence in close proximity to the Cincinnati Courthouse.

~~Qualifications for appointment to the position are:~~

- (1) be, and have been for at least five (5) years, ~~possessing good standing of the bar of the highest court in a state,~~ the District of Columbia, the Commonwealth of Puerto Rico, or the Virgin Islands of the United States, and have been engaged in the active practice of law for a period of at least five (5) years (with some substitutes authorized);
- (2) Be competent to perform all the duties of the office; be of good moral character; be emotionally stable and mature; be committed to equal justice under the law; be in good health; be patient and courteous; and be capable of deliberation and decisiveness;
- (3) Be less than seventy (70) years old; and
- (4) Not be related to a judge of the U.S. District Court for the Southern District of Ohio.

A Merit Selection Panel composed of attorneys and other members of the community will review all applicants and recommend to the judges of the district court in confidence the five persons it considers best qualified. The court will make the appointment, following an FBI full-field investigation and an IRS tax check of the candidates. The current annual salary of the position is \$142,324. The term of office is eight (8) years.

Application forms and more information on the Magistrate Judge position may be obtained from the Office of the Clerk of the U.S. District Court for the Southern District of Ohio, Joseph P. Kinneary U.S. Courthouse, 85 Marconi Boulevard, Room 260, Columbus, Ohio 43215; the Office of the Clerk at the U.S. Courthouse, 200 West Second Street, Room 712, Dayton, Ohio 45402; and the Office of the Clerk at the Potter Stewart U.S. Courthouse, 100 East Fifth Street, Room 324, Cincinnati, Ohio 45202. Applications must be submitted to the Clerk of Court only by potential nominees personally and **must be received by August 30, 2003.**

All applications will be kept confidential, unless the applicant consents to disclosure, and all applications will be examined only by members of the Merit Selection Panel and the Judges of the district court. The panel's deliberations will remain confidential.